

MESSAGE NO: 8240111 MESSAGE DATE: 08/28/1998

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-331-602, A-405-071, A-427-602,
A-428-602, A-428-811

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/31/1997 TO 02/28/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS FOR MARCH 97/98

MESSAGE NO: 8240111

DATE: 08 28 1998

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 331 - 602

A - 405 - 071

A - 427 - 602

A - 428 - 602

A - 428 - 811

- -

PERIOD COVERED: 03 31 1997 TO 02 28 1998

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: NON REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS FOR
MARCH 97/98

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN

ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE
DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING
DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING
RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

FRESH CUT FLOWERS FROM ECUADOR PERIOD

A-331-602

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 03/01/97 - 02/28/98

FLORISOL CIA LTDA.
ARGICOLA FLORES LA ANTONIA
FLORES DEL QINCHE, S.A.
GUAISA FARMS
VELVET
AGRICOLA LANDWORK
AGRITAB
AGOINDUSTRIAL ESPIALMOR
ARMIZO
CLAVELES DE LA MONTANA
EMPAGRI
FLOREQUISA
FLORES BARRAGAN-RODRIGUEZ
FLORES MITAD DEL MUNDO
FLORICULTURA ECUACLAVEL
GUALA IMPORT
ILLINIZA FLOWERS
NERITA FLOWERS
SAN ALFONSO
FLORES DEL QUINCHE
FLORES LA ANTONIA
FLORISOL
PLANTACIONES MALIMA
AMERICFLOWERS
ARCO VALENO
BIOCARE LIMITED
COLORSFROMTHEWORLD
COMEDINSA

COMERCIALIZADORA AGRICOLA
CARIBE
COMPRINZ
ECOFLOWERS
ECUAFLO
ECUAPLANET TRADING
ECUAPLANTA
FLORIMEX VERWALTUNG GMBH
INCAFLOR
MAXIMAFARMS ECUADOR
MILIFLOWERS
NEVADO NARANJO ECUADOR
NOELIAFLOWERS
PANORAMA ROSES
QUITO INOR FLOWERS
TREVIS
U.S. FLORAL CORP.

RAYON STAPLE FIBER FROM FINLAND PERIOD

A-405-071

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 03/01/97 - 02/28/98

SATERI OY (FORMERLY KEMIRA FIBRES OY)

BRASS SHEET AND STRIP FROM FRANCE PERIOD

A-427-602

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 03/01/97 - 02/28/98

BRASS SHEET AND STRIP FROM GERMANY PERIOD

A-428-602

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 03/01/97 - 02/28/98

WIELAND-WERKE AG

LEAD AND BISMUTH STEEL FROM GERMANY PERIOD

A-428-811

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 03/01/97 - 02/28/98

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.
 4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE MERCHANDISE AT THE CURRENT RATES.
 5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.
 6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER
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FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29)
FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS,
CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE
ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY
CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH
THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY

LIAISON, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC
AND INTERESTED PARTIES SHOULD CONTACT THE ANALYST
IN CHARGE OF THE CASE ON (202) 482-4737, AD/CVD ENFORCEMENT,
IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION,
DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party